

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
	)	
Request for Review of the Decision of the	)	
Universal Service Administrator by	)	
	)	
Jackson Public School District	)	File Nos. SLD-381996
Jackson, Mississippi	)	
	)	
Schools and Libraries Universal Service	)	CC Docket No. 02-6
Support mechanism	)	

**ORDER**

**Adopted: February 18, 2004**

**Released: February 19, 2004**

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. The Telecommunications Access Policy Division has under consideration a Request for Review filed by Jackson Public School District (Jackson PS), Jackson, Mississippi.<sup>1</sup> Jackson PS requests review of a decision by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).<sup>2</sup> For the reasons set forth below, we grant Jackson PS's Request for Review and remand its application to SLD for further consideration.

2. SLD notified Jackson PS that its Funding Year 2003 FCC Form 471 had been submitted after the filing window closed on February 6, 2003 at 11:59 p.m. Eastern Standard Time.<sup>3</sup> In its Request for Review, Jackson PS argues that on February 6, 2003 it mailed nine Form 471 applications in one envelope to SLD and mailed one Form 471 (SLD Application Number 381996) in a separate envelope via UPS Next Day Air.<sup>4</sup> Jackson PS asserts that according to the UPS tracking information, the Form 471 application for SLD Application Number 381996 was postmarked on February 6, 2003.<sup>5</sup>

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<sup>1</sup> Letter from Dr. Willie Johnson, Jackson Public School District, to Federal Communications Commission, filed August 4, 2003 (Request for Review).

<sup>2</sup> See Letter from Universal Service Administrative Company, to Dr. Willie Johnson, Jackson Public School District, dated March 20, 2003.

<sup>3</sup> *Id.*

<sup>4</sup> Request for Review.

<sup>5</sup> *Id.*

As evidence of its assertion, Jackson PS attaches a copy of the UPS tracking information.<sup>6</sup> Based on the underlying record, we conclude that Jackson PS's application was postmarked by the filing window deadline.<sup>7</sup> We therefore grant Jackson PS's Request for Review and remand Jackson PS's application to SLD for further consideration.

3. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Review filed by Jackson Public School District, Jackson, Mississippi on August 4, 2003 IS GRANTED, and Jackson PS's application is REMANDED to SLD for further consideration in light of this decision.

FEDERAL COMMUNICATIONS COMMISSION

Narda M. Jones  
Deputy Chief, Telecommunications Access Policy Division  
Wireline Competition Bureau

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<sup>6</sup> Request for Review, Attachment.

<sup>7</sup> *Id.* See Instructions for Completing the Schools and Libraries Universal Service Services Ordered and Certification Form, OMB 3060-0806 (November 2001) (Form 471 Instructions) (FCC Forms 471 must be postmarked no later than the filing window deadline in order to be considered within the filing window).